

DISALLOWABLE INSTRUMENT



WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 158 of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Michael Woodhouse, Associate Minister of Transport, make the following ordinary Rule:

Land Transport Rule: Operator Licensing Amendment

SIGNED AT Wellington

This *12th* day of *August* 2014



Michael Woodhouse

Associate Minister of Transport

Land Transport Rule
Operator Licensing Amendment 2014
Rule 81001/8

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Land Transport Rule
Operator Licensing Amendment 2014

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Objective of the Rule

Land Transport Rule: Operator Licensing Amendment 2014 (the amendment Rule) amends *Land Transport Rule: Operator Licensing 2007* (the Operator Licensing Rule). The Operator Licensing Rule sets out the requirements for obtaining and retaining a licence to operate a passenger, rental, vehicle recovery, or goods service. It also contains requirements that apply to transport service drivers, “dial-a-driver” service drivers, hirers of rental service vehicles, and approved taxi organisations (ATOs).

The objective of the amendment Rule is to make changes to the Operator Licensing Rule to require taxi meters to be sealed where this is necessary to prevent unauthorised interference.

Extent of consultation

For the purposes of consultation, amendments proposed to the Operator Licensing Rule and ten other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Omnibus Amendment 2014* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into eleven separate amendment Rules, including this Rule.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2,400 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency’s Contact Centre and, together with Questions and Answers, was also made available on the NZ Transport Agency’s website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 25 submissions on the Omnibus Amendment Rule, of which 8

commented on the proposed amendments to the Operator Licensing Rule.

The submissions received were taken into account in finalising this amendment Rule following which it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Operator Licensing Amendment 2014*.

1.2 Commencement

This Rule comes into force on 1 November 2014.

1.3 Principal rule amended

This Rule amends *Land Transport Rule: Operator Licensing 2007*.

Section 2 Amendments to Rule requirements

2.1 Meters and other equipment

- 2.1(1) After *clause 4.11(1)*, insert:
- “4.11(1A) Despite *4.11(1)*, (7) and (8), a meter is only required to be sealed if the Agency or a person authorised, by notice in writing, by the Agency determines that a seal is necessary to protect the meter from unauthorised interference.”.
- 2.1(2) In *clause 4.11(7)(a)*, after “sealed” insert “if required to be sealed”.
- 2.1(3) In *clause 4.11(7)(b)* replace “the seal of the meter” with “a seal, where required,”.
- 2.1(4) Replace *clause 4.11(7)(b)(ii)*, with:
- “(ii) the meter is repaired before being tested, sealed if required to be sealed, and certificated by the Agency or a person authorised by the Agency.”.
- 2.1(5) In *clause 4.11(7)(c)*, after “sealed” insert “if required to be sealed”.
- 2.1(6) In *clause 4.11(8)*, after “sealed” insert “if required to be sealed”.